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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,180	10/10/2003	Donald H. Williams	REEL:0019--1/YOD 00RE068A	2586
7590 01/06/2005			EXAMINER PHAN, THIEM D	
Alexander Gerasimow Allen-Bradley Company Patent Dept., 704P Floor 8 T29 1201 South Second Street Milwaukee, WI 53204			ART UNIT 3729	
DATE MAILED: 01/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/684,180	Applicant(s) WILLIAMS ET AL.	
	Examiner Tim Phan	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 11-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-10, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 2-6 and 25-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicants' election without traverse of Group I, Claims 1-10 and 23-29, in Paper dated 11/29/04 is acknowledged.

The Restriction mailed on 10/26/04 has been carefully reviewed and is held to be proper. Moreover Applicants did not distinctly and specifically point out any error in the Restriction Requirement. Accordingly, Claims 11-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Group, there being no allowable generic or linking claim.

The Restriction filed on 10/26/04 is hereby **made Final**.

Applicants have cancelled these nonelected claims (11-22). An Office Action on the merits of Claims 1-10 and 23-29 now follows.

Title

2. The following title is suggested: "Method of Manufacturing an Electric Motor".

Claim Objections

3. Claim 24 is objected to because of the following informalities, delete “25” (Claim 24, line 1) and insert: -- 23 --. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 7, 8, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Keck (US 5,519,273) hereinafter ‘273.

As applied to claim 1, the ‘273 teaches a process for fitting a conduit box to an electric motor (Cf. Abstract), comprising:

- extruding or forming a portion of a conduit box (Cf. Fig. 4, 12; col.5, lines 6 ff.) to form a hollow extension (Cf. Fig. 4, 26 or Fig. 2, 24 & 44);
- inserting the extension (Cf. Fig. 2, 44) through a first hole (Cf. Fig. 6, 50) in a motor housing of an electric motor; and

- permanently plastically deforming the extension by deforming the crushable projections (Cf. Fig. 2, 46A-D; col. 5, lines 50 ff.) after the extension is inserted through the first hole to prevent withdrawal of the extension through the first hole.

As applied to claim 7, the '273 teaches a motor stator (Cf. Abstract; col. 3, line 50).

As applied to claim 8, the '273 teaches a plurality of conductors (Cf. Fig. 1, 28A-C) extending through the conduit box.

As applied to claim 23, the '273 teaches a process for fitting a conduit box to an electric motor (Cf. Abstract), comprising:

- disposing or forming an extension (Cf. Fig. 4, 26 or Fig. 2, 24 & 44) from a bottom of a conduit box (Cf. Fig. 1, 12) through an opening (Cf. Fig. 6, 50) through a motor housing of an electric motor; and
- plastically deforming the extension by deforming the crushable projections (Cf. Fig. 2, 46A-D; col. 5, lines 50 ff.) to capture the motor housing (Cf. Fig. 6, 50) between the extension (Cf. Fig. 6, 48) and the bottom of the conduit box (Cf. Fig. 6, 12) to secure the conduit box to the motor housing.

As applied to claim 24, the '273 teaches the formation of the extension (Cf. Fig. 2, elements 24 & 44) from the conduit box (Cf. Fig. 2, 12).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the '273.

As applied to claim 9, the '273 teaches a process for fitting a conduit box to an electric motor which reads on applicants' claimed invention, except for threading a first member through the conduit box and the motor housing to prevent the stator from rotating and to prevent movement of the conduit box.

It is mere matter of design choice to thread a screw through the conduit box and the motor housing to prevent the stator from rotating, since it is well known that the stator is always well embedded to the motor housing and to prevent movement of the conduit box and it appears that the invention would perform equally well by having the conduit box being tightly engaged through the groove (Cf. Fig. 6, 48; col. 5, lines 50 ff.) by crushing force.

As applied to claim 10, the '273 teaches a process for fitting a conduit box to an electric motor which reads on applicants' claimed invention, except coining the extension against an interior surface of the motor housing.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the extension coined against an interior surface of the motor housing, since it is known in the art that the crushing force of the endshield at the intermediate portions (Cf. Fig. 2, 46A-D; col. 5, lines 50 ff.) and the second base member (Cf. Fig. 5, 24) will press the extension (Cf. Fig. 6, 24 & 48) against the interior surface of the motor housing (Cf. Fig. 6, 50).

Objected Subject Matter

8. Claims 2-6 and 25-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M - F, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tim Phan
Examiner
Art Unit 3729


CARL J. ARBES
PRIMARY EXAMINER

tp
January 3, 2005